



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : JORG PETER SCHUR  
Serial No. : 10/069,476  
Filing Date : July 1, 2002  
Examiner : Niel S. Levy  
Group Art Unit : 1615  
Entitled : "PLANT PROTECTION"

Suite 2400  
1601 Market Street  
Philadelphia, PA 19103  
(215) 563-4100 (telephone)  
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Our File No. vonKreis.021

Certificate of Mailing Under 37 C.F.R. §1.8(a):

I hereby certify that this correspondence is being deposited on December 16, 2005 with the United States Postal Service as first-class mail in an envelope properly addressed to the Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

John S. Child, Jr.  
John S. Child, Jr.

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97

Dear Sir:

I. INTRODUCTION

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicant is submitting herewith a Form PTO-1449 listing certain patent and other documents which the Examiner is respectfully requested to consider and make of record in this application. This Information Disclosure Statement is being filed after the mailing of a Official Action but before the

12/21/2005 SFELEKE1 00000073 10069476

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mailing of a Notice of Allowance. Accordingly, the fee required under 37 C.F.R. 1.97(c) is enclosed.

## II. REMARKS

### A. Enclosures to Information Disclosure Statement

Enclosed herewith please find a completed "Substitute for form 1449A/PTO" which identifies the United States Patent Documents, Foreign Patent Documents and Non Patent Literature being made of record. Pursuant to 37 C.F.R. §1.98, copies of U.S. patent documents, foreign patent documents and non-patent literature are also enclosed.

This application is related to several other applications currently pending before the U.S. Patent and Trademark Office. The related applications and the instant application are identified below:

U.S. Application No.	Filing Date	Attorney Ref.
10/103,396	March 20, 2002	vonKreis.002B
09/743,883	March 26, 2001	vonKreis.011
10/172,340	June 13, 2002	vonKreis.017
10/019,240	May 13, 2002	vonKreis.018
10/019,239	May 13, 2002	vonKreis.019
10/070,042	July 18, 2002	vonKreis.022
10/250,659	December 1, 2003	vonKreis.030
10/250,897	December 16, 2003	vonKreis.031
10/484,947	July 27, 2004	vonKreis.032
10/357,726	February 4, 2003	vonKreis.003C

### B. Foreign Patent Documents and Non-Patent Literature Not In The English Language

Several foreign patent documents and non patent literature documents are not in the English language. Under 37

C.F.R. §1.98(a)(3)(i) and (ii) any information disclosure statement filed shall include:

(3)(i) A concise explanation of the relevance, as it is presently understood by the individual designated in §1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language. The concise explanation may be either separate from the applicant's specification or incorporated therein.

(ii) A copy of the translation if a written English-language translation of a non-English-language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in §1.56(c).

1. Translation

Several of the non-English patent documents have English language counterparts which are identified and in the Substitute for Form 1449A/PTO. A copy of the counterpart applications are enclosed.

2. Concise Explanations of Remaining Non-English Documents

The below references are identified as pertinent and relevant to the other related references. A concise explanation of the relevance of certain non-English documents is incorporated in the specification identified in the following table.

Document Reference & Number	English Equivalent or Abstract Present or Cited in Related Application
B1 DE 19726429	B2 WO 98/58540
B2 WO 98/58540	Cited in VonKr.021
B3 DE 19612340	Abstract from Espacenet
B4 WO 96/29895	Cited in VonKr.021
B5 DE 19831 288	Abstract from Espacenet
B6 DE 19831306	Abstract from Espacenet
B7 DE 19831309	Abstract from Espacenet
B8 WO 00/03612	B63 CA 2 336 565
B9 DE 10141734	Abstract from Espacenet
B10 DE 19931185	Cited in VonKr.031
B11 WO 01/03746	B58 CA 2 376 517
B12 WO 01/03747	B61 CA 2 378 043
B14 WO 01/13727	B59 CA 2 382 740
B15 DE 19940283	B59 CA 2 382 740
B16 WO 01/15528	B60 CA 2 382 429
B17 DE 19940605	B60 CA 2 382 429
B18 DE 20100121	A71 US 2005/035472
B19 WO 02/053978	A71 US 2005/035472
B20 WO 02/055114	A42 US 2004/101459
B21 DE 10100595	A42 US 2004/101459
B26 WO 94/14414	A72 US 5,686,082
B28 WO 00/27192	B53 CA 2 355 595
B30 EP 0103878	Abstract from Espacenet
B33 EP 101,083	Abstract from Espacenet
B34 BE 515,423	Foreign Patent Document
B35 FR 1,400,428	Foreign Patent Document
B36 FR 2,228,434	Foreign Patent Document
B37 DE 19617278	Abstract from Espacenet

B38 DE 2,423,076	B54 GB 1 465 533
B39 DE 3,138,277	B55 GB 2 087 724
B40 JP 2180267	Abstract from Espacenet
B41 JP 6-211-1675	Abstract
B42 JP 6-212-6931	Abstract
B43 JP 6-304-238	Abstract from Espacenet
B44 WO 02/101299	B13 CA 2 450 745
B45 DE 10128563	Abstract from Espacenet
B46 EP-A-0311091	Abstract from Espacenet
B47 WO-A-90/08544	Cited in Von.Kr.032
B50 DE-A-3721137	Cited in Von.Kr.032
B51 DE-A-3409793	Cited in von.Kr.032
B52 WO 90/08543	Abstract from Espacenet
B57 WO 02/101299	B13 CA 2 450 745
B62 JP 60226992	Foreign Patent Document
B64 DE 31 38288 C2	Cited in Von.Kr.003CIP
C10	JP Patent Document

This submission is not an admission that the references listed on the attached Form PTO-1449 constitute prior art against the claims of this application.

### III. ACTION REQUESTED

The Examiner is respectfully requested to confirm receipt and consideration of the cited references by initialing and returning a copy of the attached Form PTO-1449 in accordance with MPEP §609.

IV. AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

In the event that a fee is required, the Commissioner is authorized to charge Deposit Account No. 04-1406 of the undersigned attorneys. A duplicate copy of this sheet is enclosed.

V. CONCLUSION

Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,  
DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation  
Attorney for Applicants

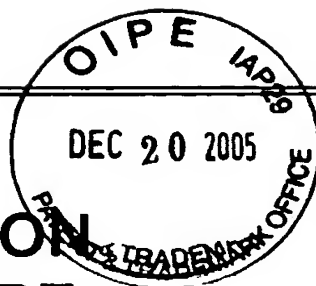
By: John S. Child, Jr.  
John S. Child, Jr.  
Registration No. 28,833

JSC:LCF

Enclosures - Form PTO-1449

- Copy of references listed on Form 1449

# INFORMATION DISCLOSURE STATEMENT



*Complete if known*

Application Number: 10/069,476

Filing Date: July 1, 2002

First Named Inventor: Jörg Peter Schür

Group Art Unit: 1615

Examiner Name: Neil S. Levy

SHEET 1 OF 7

Attorney Docket Number: von Kreis.021US

## UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
	A1	1,790,596	01-27-1931	Claude B. Schneible
	A2	2,409,088	10-08-1946	John Weits
	A3	2,496,281	02-07-1950	Ernest F. Fisher
	A4	2,596,106	05-13-1952	Claude B. Schneible
	A5	2,683,074	07-06-1054	Richard L. Kuehner
	A6	3,191,363	06-29-1965	William C. Martin, Jr.
	A7	3,518,096	06-30-1970	Grover C. Layton, deceased, by Stella Layton, Administratrix
	A8	3,557,535	01-26-1971	Stanley O. Howick
	A9	3,788,045	01-29-1974	Orlan M. Arnold
	A10	3,908,031	09-23-1975	Hugo E. Wistreich
	A11	3,989,485	11-02-1976	Rodolfo G. Killian
	A12	4,361,554	11-30-1982	Tom R. Saunders
	A13	4,446,161	05-01-1984	Herman H. Friedman
	A14	4,624,688	11-25-1986	Markku T. Vatonen
	A15	4,806,526	02-21-1989	Wesley F. Green
	A16	4,808,396	02-28-1989	Ichiroh Shibantai
	A17	4,927,651	05-22-1990	Hiroo Kumani
	A18	4,977,142	12-11-1990	Wesley F. Green
	A19	5,143,720	09-01-1992	John A. Lopes
	A20	5,362,520	11-08-1994	Ricardo M. Rodriguez
	A21	5,472,684	12-05-1995	Nuran Nabi
	A22	5,474,774	12-12-1995	Edward B. Walker
	A23	5,480,519	01-02-1996	Donald C. Abbott
	A24	5,480,591	01-02-1996	Patrick Lagneaux
	A25	5,527,552	06-18-1996	Paul H. Todd, Jr.
	A26	5,661,104	08-26-1997	Joseph A. Virgilio

EXAMINER'S  
SIGNATURE

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SHEET 2 OF 7

Attorney Docket Number: von Kreis.021US

	A27	5,665,432	09-09-1997	Yoséi Kuwazuru
	A28	5,766,314	06-16-1998	Jean-Charles Weber
	A29	5,814,325	09-29-1998	Robert L. Rod
	A30	6,004,569	12-21-1999	Steven M. Bessette
	A31	6,207,290 B1	03-27-2001	Melvin Blum
	A32	6,348,187 B1	02-19-2002	Pauline Pan
	A33	6,514,551 B1	02-04-2003	Jörg Peter Schür
	A34	09/743,883	03-26-2001	Jörg Peter Schür
	A35	10/019,239	05-13-2002	Jörg Peter Schür
	A36	10/019,240	05-13-2002	Jörg Peter Schür
	A37	10/069,476	07-01-2002	Jörg Peter Schür
	A38	10/250,659	07-03-2003	Jörg Peter Schür
	A39	US 2002 0176882 A1	11-28-2002	Jörg Peter Schür
	A40	US 2003 0031588A1	02-13-2003	Jörg Peter Schür
	A41	US 2003 0198718A1	10-23-2003	Jörg Peter Schür
	A42	US 2004 0101459 A1	05-27-2004	Jörg Peter Schür
	A43	6,514,551	02-04-2003	Schur
	A44	2004/0076614	04-04-2004	Schur
	A45	5,030,253	07-09-1991	Tokuhiro
	A46	5,439,690	08-08-1995	Knight
	A47	6,159,523	12-12-2000	Cain
	A48	5,089,268	02-18-1992	Katz
	A49	2,886,297	05-12-1959	A. Ralph Crandall
	A50	3,363,403	01-16-1968	Pierre Georges Vicard
	A51	4,200,442	04-29-1980	Henri A. Willot
	A52	4,512,935	04-23-1985	Anders Hilmersson
	A53	4,579,569	04-01-1986	Henry P. Sheng
	A54	4,810,268	03-07-1989	John E. Chambers
	A55	5,201,919	04-13-1993	Glenn Jahn
	A56	5,547,540	08-20-1996	Hans Ruscheweyh

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SHEET 3 OF 7

Attorney Docket Number: von Kreis.021US

	A57	2002/0014707	02-07-2002	Jamshid Zamany
	A58	5,322,689	06-1994	Hughes et al.
	A59	5,416,075	05-1995	Carson et al.
	A60	5,750,563	05-1998	Honda, Shinsuke
	A61	5,879,683	03-1999	Hamilton-Miller, Jeremy Marcis Tom
	A62	3,442,602	05-1969	Charles C. Diehl
	A63	4,110,430	08-29-1978	Hopp
	A64	4,602,011	07-22-1986	West
	A65	5,569,461	10-29-1996	Andrews
	A66	5,695,801	12-09-1997	Oh
	A67	6,007,055	12-28-1999	Schiffner
	A68	6,033,705	03-07-2000	Isaacs
	A69	6,284,259	09-04-2001	Beerse
	A70	6,608,102	08-19-2003	Howell
	A71	2005/0035472	02-17-2005	Schur
	A72	5,686,082	11-11-1997	N'Guyen
	A73	5,397,385	03-1995	Watts
	A74	4,544,666	10-1985	Thirumalachar

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
	B1	DE 19726429 A1	Germany	12-24-1998	Jörg Peter Schür
	B2	WO 98/58540	International	12-30-1998	Jörg Peter Schür
	B3	DE 19612340	Germany	11-02-1996	Jörg Peter Schür
	B4	WO 96/29895	International	10-03-1996	Jörg Peter Schür
	B5	DE 19831 288 A1	Germany	01-27-2000	Jörg Peter Schür
	B6	DE 19831306 A	Germany	01-27-2000	Jörg Peter Schür
	B7	DE 19831309 A1	Germany	01-27-2000	Jörg Peter Schür

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SHEET 4 OF 7

Attorney Docket Number: von Kreis.021US

	B8	WO 00/03612	International	01-27-2000	Jörg Peter Schür
	B9	DE 10141734 A1	Germany	03-06-2003	Jörg Peter Schür
	B10	DE 19931185 A1	Germany	01-18-2001	Jörg Peter Schür
	B11	WO 01/03746	International	01-18-2001	Jörg Peter Schür
	B12	WO 01/03747	International	01-18-2001	Jörg Peter Schür
	B13	CA 2 450 745	Canada	12-19-2002	Schuer, Joerg Peter
	B14	WO 01/13727 A1	International	03-01-2001	Jörg Peter Schür
	B15	DE 19940283 A1	Germany	03-01-2001	Jörg Peter Schür
	B16	WO 01/15528 A1	International	03-08-2001	Jörg Peter Schür
	B17	DE 19940605 A1	Germany	03-01-2001	Jörg Peter Schür
	B18	DE 20100121 U1	Germany	06-20-2002	Jörg Peter Schür
	B19	WO 02/053978 A1	International	07-11-2002	Jörg Peter Schür
	B20	WO 02/055114 A1	International	07-18-2002	Jörg Peter Schür
	B21	DE 10100595 A1	Germany	07-18-2002	Jörg Peter Schür
	B22	172993	Great Britain	04-12-1921	Mackenzie Wallis
	B23	790075	Great Britain	02-05-1958	Irwin Lubowe
	B24	1060447	Great Britain	03-01-1967	Maple Leaf Trust
	B25	1571517	Great Britain	07-16-1980	Rudolf Kürner
	B26	WO 94/14414	International	07-07-1994	Quang-Lan N'Guyen
	B27	WO 95/31100	International	11-23-1995	Dennis McCormac
	B28	WO 00/27192	International	05-18-2000	Jan Nevermann
	B29	WO 98/21955 A1	International	05-28-1998	Pierre Fonsny
	B30	0103878 A2	Europe	03-28-1984	Human Oltoanyagtermelo
	B31	0557,946 A1	Europe	09-01-1993	Asami Takata
	B32	0345,149 A2	Europe	12-06-1989	Shimizu Construction Co, Ltd.
	B33	101,083	Europe	02-22-1984	Wilhelm Grunert

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Attorney Docket Number: von Kreis.021US

	B34	515,423	Belgium	11-29-1952	Paul Pollrich & Comp
	B35	1,400,428	France	04-20-1965	Ajim Laboratories
	B36	2,228,434	France	12-06-1974	Lucien Louis Delpech
	B37	19617278 A1	Germany	11-13-1997	Dr. Hubert Christ
	B38	2,423,076	Germany	05-03-1974	Ivar Harry Sanick
	B39	3,138,277 A1	Germany	04-15-1992	Ryuzo Ueno
	B40	2180267 A	Japan	07-13-1990	Matsushita
	B41	6-211-1675	Japan	05-22-1987	Sankaru Ocean
	B42	6-212-6931	Japan	06-09-1987	Tsuruta Masatushi
	B43	6-304-238	Japan	11-01-1994	Hatanaka Takeshi
	B44	WO 02/101299	PCT	12-19-2002	Schuer, Jorg Peter
	B45	DE 10128563	Germany	01-02-2003	Schuer, Jorg Peter
	B46	EP-A-0311091	Europe	04-12-1989	Braun Melsungen AG
	B47	WO-A-90/08544	PCT	08-09-1990	B. Braun Melsungen AG
	B48	WO-A-97/19683	PCT	06-05-1997	B. Braun Melsungen AG
	B49	EP-A-0687418	Europe	12-20-1995	Clintec Nutrition Company
	B50	DE-A-3721137	Germany	01-05-1989	Dietl, Hans
	B51	DE-A-3409793	Germany	09-20-1984	Terumo K.K.
	B52	WO 90/08543 A	PCT	08-09-1990	Braun Melsungen AG
	B53	CA 2 355 595	Canada	05-18-2000	Menno Chemie Vertriebsges, MBH
	B54	GB 1 465 533	Great Britain	02-23-1977	Ivar Harry Sanick
	B55	GB 2 087 724	Great Britain	06-03-1982	Kabushiki Kaisha Ueno
	B56	GB 2 178 837 A	Great Britain	02-18-1987	Albert Rebours
	B57	WO 02/101299 A1	PCT	12-19-2002	Jorg Peter Schur
	B58	CA 2 376 517	Canada	01-18-2001	Schur, Joreg Peter
	B59	CA 2 382 740	Canada	03-01-2001	Schuer, Joerg
	B60	CA 2 382 429	Canada	03-08-2001	Schuer, Joerg
	B61	CA 2 378 043	Canada	01-18-2001	Schuer, Joerg Peter
	B62	60226992	Japan	11-12-1985	

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Examiner Name: Neil S. Levy

SHEET 6 OF 7

Attorney Docket Number: von Kreis.021US

	B63	CA 2 336 565	Canada	01-27-2000	Schuer, Joerg Peter
	B64	31 38288 C2	Germany	04-15-1982	Siemens AG
	B65	JP 07304609	Japan	11-1995	

## OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Database WPI, Section CH, Week 199411, Derwent Publications Ltd, London, GB; Class D13, DW 94-088588 & JP 06038678 (Okubo T), 15 February 1994
	C2	Database WPI, Section CH, Week 199028, Derwent Publications Ltd, London, GB; Class CO3, AN 90-213153 & JP 02142703 (Kurita Water Ind KK) 31 May 1990
	C3	Database WPI, Section CH, Week 198302, Derwent Publications Ltd, London, GB; Class D13, AN 83-03563K & JP 57 194775, (Asama Kasei KK) 30 November 1982
	C4	Database WPI, Section CH, Week 198726 Derwent Publications Ltd, London, GB; Class D13, AN 87-181806 & JP 62111675 (Sanraku Ocean) 22 May 1987
	C5	Database WPI, Section CH, Week 198946 Derwent Publications Ltd, London, GB; Class CO3, AN 1989-337764, & SE 8 900902 (Thorsell W) 13 May 1989
	C6	Database WPI, Section CH, Week 198728 Derwent Publications Ltd., London, GB; Class D13, AN 1987-196269 & JP 62126931A (Morinaga Milk Co. Ltd) 9 June 1997
	C7	Database WPI, Section CH, Week 199049 Derwent Publications Ltd., London, GB; Class C03, AN 1990-361964 & CA 2,012288A (Sterling Drug Inc.) 16 September 1990
	C8	Database WPI, Section CH, Week 197819 Derwent Publications Ltd., London, GB; Class A96, AN 78-33903 A & JP 53032134A (Katsiraua Fine Goods) 27 March 1978
	C9	Database WPI, Section CH, Week 198621 Derwent Publications Ltd., London, GB; Class A97, AN 86-136554 & SU 1189454A (Ural Vnipi Khim Promy) 7 November 1985
	C10	Japanese Patent Publication No. JP 46028797B, (1971), (cover sheet)
	C11	Database WPI, Section CH, Week 199216 Derwent Publications Ltd., London, GB; Class C05, AW 1992-127230 & JP 04 069308A (Do1 K) 4 March 1992
	C12	Patent Abstracts of Japan Vol. 014, No. 453 (C-0764) 28 September 1990 JP 02 180267A (Matsushita Electric Works, Ltd) 13 July 1990
	C13	Chemical Abstracts: Vol. 102; 165 387 u (1985), Arora, Rewa, Pandex, GN (HB Technical Inst., Kampur 208 002 India) Biol. Mem. 1984 9(1), 98-104 (Eng.)
	C14	Chemical Abstracts: Vol. 107; 133021g (1987) Food Preservation Composition, Kumamoto, Toshihiko, JP 61 111675 [87 111 675] 22 May 1987

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First Named Inventor: Jörg Peter Schür

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SHEET 7 OF 7

Attorney Docket Number: von Kreis.021US

	C15	Chemical Abstracts: Vol. 117; 68848 x (1992), Kutsuwa, Yoshiaki (Asahi Denka Kogyo KK) UP 04 79869 [9279869] 13 March 1992
	C16	Chemical Abstracts: Vol. 121; 33789; (1994) Sakai, Isao, JP 0678730 [94 78 730]. 22 March 1999
	C17	Kabara, Jon J. [Hrsg] Cosmetic and Drug Preservation, 1984, S 237-270; 275-297
	C18	One-page printout with key word "tannin"
	C19	The Merck Index, Merck & Co., Inc. (Rahway, NJ, 1976), pp. 1172-73
	C20	Code of Federal Regulations, 21 C.F.R. § 182/515 ) and § 182.20 (Revised as of April 1, 2001)
	C21	Database WPI, Section CH, Week 200300 Derwent Publications, London GB; Class CO3, AN 1976-72203X & BE 841452A (Varga) [May 5, 1976]
	C22	Database WPI, Week 199613, Derwent Publications, London GB; Class A01, AN 1996-124045.
	C23	MENDEZ, B., et al., "Effects of Different Lipid Sources in Total Parenteral Nutrition on Whole Body Protein Kinetics and Tumor Growth", Journal of Parenteral and Enteral Nutrition, American Society for Parenteral and Enteral Nutrition, vol. 16: pp. 545-551 (1992).
	C24	HAMBERGER, L., et al., "More efficient clearance of intravenous (i.v.) lipid emulsions fish oil triglycerides (OMEGA-3 TG) as compared to traditional long chain triglyceride (LCT) lipid emulsions in in vitro model and humans", Fed. Of American Society for Experimental Biology Journal, vol. 12: pp. A514
	C25	Database WPI, Week 198517, Derwent Publications Ltd., London, Great Britain, Class B07, AN 1985-103098 and JP 60 049747 A (San-Yu Shoji KK), March 19, 1985. Abstract.

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DATE  
CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.